

**Minutes of the Meeting of Ruan Lanihorne Parish Council held in The Reading Room  
on Wednesday 8<sup>th</sup> January 2020 at 7.00pm**

Present Councillors: G Adams, J Adams, A Dundon, P Farr, C Martin, G Pring  
(Chairman)

In Attendance: Tomas Hill (Clerk) and one member of the public.

1/20 APOLOGIES – to receive, note and accept apologies

Cllr Dingle submitted his apologies due to illness.

Cllr Pring proposed, seconded by Cllr Martin and the Council **resolved** to accept his apologies.

2/20 DISPENSATION OF DISCLOSABLE PECUNIARY INTERESTS (DPI) AND DECLARATION OF OTHER SIGNIFICANT INTERESTS (OSI) – to receive and note (if any)

None.

3/20 OPEN FORUM – for members of the Parish to make representations to the Council

Garrick Royle spoke regarding Cornwall Council's request to charge dues for the King Harry Ferry. He stated that Cornwall Council had failed in a previous request as the Ferry is considered to be a 'floating bridge' and not a maritime vessel. He was seeking support from the Council to object to the Harbour Revision Order (HRO) that Cornwall Council propose to submit to the Maritime Management Organisation (MMO).

4/20 CORNWALL COUNCILLOR - to receive Cornwall Councillor report (if present)

Cllr German submitted his apologies but sent the following report:

*"Dear All,*

*Happy New Year.*

*Unfortunately, I am unable to attend your next Parish Council meeting so am providing this report instead which I hope you find useful.*

*The next Community Network Panel meeting is on 28th January 7pm. I hope you will be able to attend to support Roseland applications to the highways fund.*

*The next Roseland Cluster meeting is on 26th February 7pm at the Millennium Rooms, St Mawes on Planning Enforcement, with a presentation by Alan Mason, team leader from Cornwall Council planning enforcement, followed by a question and answer session.*

*I have shared the link for reporting empty property with your Clerk, which is*

*<https://www.cornwall.gov.uk/housing/private-sector-housing/empty-properties/report-empty-and-unused-property/>*

*Bringing property back in to use means we can increase the supply of available housing. There is the stick of increased Council Tax charges for long term unoccupied properties, but also incentives such as loans to bring a property back in to use.*

*I have written to your Clerk with details regarding the proposed Port of Truro Harbour Revision Order, which is out to consultation.*

*I have taken up the issue of the missing footpath signs at Lambourne and lack of both response and action and I will come back to you on this”.*

5/20 MINUTES OF THE ORDINARY COUNCIL MEETING OF 6<sup>TH</sup> NOVEMBER 2019 – to confirm accuracy and approve

Cllr J Adams proposed, seconded by Cllr Pring and the Council **resolved** that the minutes were a true and accurate record of the previous meeting.

6/20 MATTERS ARISING FROM THE MINUTES (not on the agenda & for report only)

Per 30/19, the two salt bins for either side of Ruan Laniorne village have been delivered.

7/20 CORRESPONDENCE (not on the agenda & for report only)

The Clerk reported that Cornwall Council has notified the Council that the Local Maintenance Partnership payment for 2020/2021 includes a 2% increase.

The Clerk also highlighted an email for Julian German CC regarding possible parking enforcement as a topic for a Roseland Cluster Meeting but Councillors were indifferent to the subject.

8/20 HIGHWAYS AND PUBLIC RIGHTS OF WAY – to report issues and note updates

The Clerk reported that Penny Hodgson from CORMAC has issued an apology due to the delays in receiving a signpost with a 90-degree angle and 2 footpath fingers. Cllr Dundon offered to liaise with CORMAC regarding delivery.

Cllr Pring proposed, seconded by Cllr J Adams and the Council **resolved** to ask Glyn Tucker to install the signpost.

Cllr Pring discussed the poor state of ‘Dawes Hill’ and the road from Ruan Laniorne village to Tregony. Cllr Farr reported a blocked culvert that runs under the road outside Little Treviles.

Cllr Pring proposed, seconded by Cllr G Adams and the Council **resolved** to write to CORMAC reporting the issues.

The Clerk read out a letter from Garrick Royle concerning the Harbour Revision Order (HRO):

*“Cornwall Council are going through the motions to submit a HRO to the Maritime Management Organisation (MMO) with some content that is great for some areas of Maritime in the county but sadly they are trying to include a mechanism to charge us dues.*

*In 2007 they tried to charge us but failed because we are not classed as a "vessel" and they only had the mechanism to charge vessels. They indicated then that they wanted to charge us in the region of £30,000 to float in their water and for our chains to touch their seabed from time to time. Recent discussions indicate that they would like to charge us in the region of £12,000.*

*We operate a safe and reliable service, we have very little if any input from the harbour authority. Our only real communication is when they have shipping movements and we keep out of the way, although this is quite rare.*

*We already pay substantial business rates and do not receive and financial support as most other public transport networks do. If they are successful this could have massive financial implications on us and our customers.*

*I believe that the Councils application will be out for public consultation from the MMO on the 16th of December. I am trying to gain local support to object to the application and thought that you and your councillors would be a good place to start.*

*I look forward to hearing from you and would be more than happy to come and discuss it with yourself or any of the councillors”.*

The Clerk then read out a letter from Cllr Julian German CC:

*“I understand you have received correspondence in relation to the King Harry Ferry. The proposed HRO does include an express provision that would allow the Council to make a charge for a range of floating platforms / structures using its ports and harbours, including the King Harry Ferry. This would bring the chain ferry (a privately operated company) in line with all other commercial users operating within the waters of the port and means that in the future the Council would have the power to impose a reasonable charge in respect of the chain ferry (my understanding this charge would likely be equivalent of 4p per car per journey). Cornwall Council is aware of the concerns expressed by the KHF and the existence of these concerns is already expressly acknowledged in the Statement of Support accompanying the HRO application.*

*However, it is important to future viability that all users of the ports and harbours can be asked to contribute to the cost of the management and maintenance of the harbours. In addition, notwithstanding the contents of the correspondence that you have received, the presence of the chain ferry has an impact on the Council’s navigational safety duties in the Port of Truro. It is important to remember that the provision in the HRO does not in itself introduce the charge or set the level of it. In the normal way, if in the future it was decided to introduce such a charge, the charge would need to be considered by the Harbours Board, who would then make a recommendation to Full Council over what charge that should be. If any recommendation came to the Full Council with respect to any charge then the Harbours Board would have given it their full attention and thought about all of the implications, including what a fair charge should be taking into consideration all aspects of the operation including any financial implications to both the chain ferry and other harbour users.*

*In addition and separately to the Council’s process that would have to be followed to approve any new charge, the HRO provision itself provides appropriate safeguards for the Chain Ferry operator itself in the form of a statutory right of challenge to the Secretary of State (Department for Transport) against the charge itself or the level at which it is imposed. The challenge itself is free (apart from the need to publish a newspaper notice about the challenge) and it can be made with or without legal representation. If an Inquiry was held as part of any challenge (it does not have to be) the inspector decides who bears the costs of the Inquiry (currently circa £695 per day). As such, bringing a challenge under s31 Harbours Act does not have to be an expensive process for objectors.*

*It will of course be for the parish council to decide whether to support the chain ferry operator’s objection to the proposed provision in the HRO at this stage. However, in making its decision, it should be borne in mind that the chain ferry is a commercial business whose*

*operation impacts on the costs of the Council running the Port of Truro safely. If the Council is unable to charge the chain ferry in the future, then there is a smaller pool of harbour users on which to impose charges. This means it is likely that the charges imposed on other users (including persons or other commercial operators within the parish council area) are likely to end up paying higher (or new) charges than they would be if the power to charge the chain ferry existed, thereby enabling cost to be spread over a wider class of user. As long as the chain ferry submits its objection to the provision during the formal 42 day consultation process, the chain ferry operator's objection will be fully considered under the HRO application process".*

Councillors were not convinced by the arguments put forward by Cllr German CC.

Cllr Farr proposed, seconded by Cllr G Adams and the Council **resolved** that the Chair object on behalf of the Council.

9/20 LOCAL MAINTENANCE PARTNERSHIP – to agree advertisement of tender

Cllr J Adams proposed, seconded by Cllr Martin and the Council **resolved** to advertise a tender for 3 years in the Roseland Magazine and Roseland Online.

10/20 RUAN READING ROOM – to receive progress report and agree any actions

The Chairman reported that Steve Cawrse will commence works on Tuesday 14<sup>th</sup> of January and that R Prynn will commence works at the end of the month.

11/20 ASSET CHECKS – to receive reports and action if necessary

Cllr Farr reported that the guttering has yet to be erected on the bus shelter at Ruan High Lanes.

Cllr Pring reported that the Parrot Foot on the pond needs clearing being a notifiable weed. Cllr Pring offered to write a specification and suggested the work go out to tender. Cllr Martin offered to supply a dinghy to the chosen contractor to use.

Cllr Dundon proposed, seconded by Cllr J Adams and the Council **resolved** to advertise a tender for its clearance twice a year.

Following the installation of the salt bins, Cllr Pring suggested the purchase of two spades to be housed in each salt bin.

Cllr G Adams proposed, seconded by Cllr Martin and the Council **resolved** that Cllr Pring purchase two spades for the new salt bins.

12/20 NOTICE BOARDS – to agree repairs or replacements

Cllr Farr stated that the notice boards at both Treworga and Ruan High Lanes need attention.

The Clerk will research a suitable replacement for the noticeboard at Ruan High Lanes.

Cllr Pring offered to repair the other noticeboards with some new cork for the other notice boards.

Cllr J Adams proposed, seconded by Cllr Martin and the Council **resolved** that Cllr Pring purchase some cork.

13/20 FINANCE – to include finance report and cheques for signing

The Clerk reported that HSBC has updated the Mandate to reflect all current Councillors apart from Cllr Dingle and the reduction from three to two signatories.

Cllr G Adams thanked the Clerk for his efforts.

The Clerk presented a budget monitoring report dated to the 8<sup>th</sup> of January 2020.

Cllr J Adams proposed, seconded by Cllr Pring and the Council **resolved** to sign cheques per the November budget monitoring report inset box entitled 'cheques for signing' to the total sum of £587.00.

14/20 REPORTS FROM MEETINGS ATTENDED BY COUNCILLORS – to note reports

Cllrs J Adams and Pring attended a Roseland Cluster Meeting where it was discussed not to amend the Roseland Plan.

15/20 CHARITY COMMISSION – to note Trustees and action Annual Return regarding Ruanlanihorne Reading Room.

Cllr Martin proposed, second ed by Cllr Farr and the Council **resolved** that the Clerk complete the Annual Return.

16/20 FUTURE AGENDA ITEMS – matters to be included as an agenda item at the next meeting

Table Tennis Table – disposal

Telephone Box – painting

The meeting closed at 20:32 pm.

Date of next meeting - Wednesday 4<sup>th</sup> March 2020 at Reading Room at 7.00pm (subject to change).

Signed as a true record of the meeting

Chairman